

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

LANX BM INVESTMENTS, LLC, THE LANX
FUND II, LP, WOLFSON COUSINS, LP, EDARA
PARTNERSHIP, and SARAH TRUST,

Defendants.

Adv. Pro. No. 10-04384 (CGM)

**STIPULATION AND ORDER FOR VOLUNTARY
DISMISSAL OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the substantively consolidated chapter 7 estate of Bernard L. Madoff and Lanx BM Investments, LLC, The Lanx Fund II, LP, Wolfson Cousins, LP, Edara Partnership, and Sarah

Trust (the “Defendants,” together with the Trustee, the “Parties”), by and through their respective undersigned counsel, hereby stipulate and agree to the following:

1. On November 30, 2010, the Trustee filed the Complaint against defendants Lanx BM Investments, LLC, The Lanx Fund II, LP, Wolfson Cousins, LP, and Edara Partnership. ECF No. 1.

2. On July 17, 2015, defendants Lanx BM Investments, LLC, The Lanx Fund II, LP, Wolfson Cousins, LP, and Edara Partnership answered the Trustee’s Complaint. ECF No. 44.

3. On May 8, 2017, the Trustee filed the Amended Complaint against Defendants adding defendant Sarah Trust. ECF No. 48.

4. On June 9, 2017, Defendants answered the Trustee’s Amended Complaint. ECF No. 54.

5. On October 27, 2021, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010. Adv. Pro. No. 08-01789, ECF No. 3181.

6. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding, and dismissal of the adversary proceeding.

7. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

8. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the

same instrument. A signed facsimile, photostatic, or electronic copy of this Stipulation shall be deemed an original.

Dated: New York, New York
November 3, 2021

R|K INVESTLAW

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*Attorneys for Irving H. Picard, Trustee for
the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment
Securities LLC and the Estate of Bernard L.
Madoff*

SO ORDERED.

**Dated: November 4, 2021
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
Chief U.S. Bankruptcy Judge**